
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
QC Communications, Inc.)	File No. EB-11-PA-0194
Licensee of AM Radio Station WFAI)	
Facility ID # 52768)	NOV No. V201232400027
Salem, New Jersey)	
)	
)	

NOTICE OF VIOLATION

Released: January 27, 2012

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to QC Communications, Inc., licensee of AM Station WFAI in Salem, New Jersey.
2. On October 26, 2011, and October 28, 2011, agents of the Commission's Philadelphia Office inspected Station WFAI located in Salem, New Jersey and observed the following violations:
 - a. 47 C.F.R. § 73.3526(e)(12): "Radio issues/programs lists. For commercial AM and FM broadcast stations, every three months a list of programs that have provided the station's most significant treatment of community issues during the preceding three month period. The list for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter (e.g., January 10 for the quarter October-December, April 10 for the quarter January-March, etc.). The list shall include a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. The description of the programs shall include, but shall not be limited to, the time, date, duration, and title of each program in which the issue was treated." At the time of inspection, the WFAI public inspection file was missing the radio issues/programs lists for the 4th Quarter 2009 and 4th Quarter of 2010.
 - b. 47 C.F.R. § 73.1590(d): "Equipment Performance Measurements - The data required by paragraphs (b) and (c) of this section, together with a description of the equipment and procedures used in making the measurements, signed and dated by the qualified person(s)

¹47 C.F.R. § 1.89.

making the measurements, must be kept on file at the transmitter or remote control point for a period of 2 years, and on request must be made available during that time to duly authorized representatives of the FCC.” The latest equipment performance measurements for Station WFAI were not available at the time of the inspection.

- c. 47 C.F.R. § 11.35(a): “EAS Participants must determine the cause of any failure to receive the required tests or activations specified in Sections 11.61(a)(1) and (a)(2). Appropriate entries indicating reasons why any tests were not received or sent must be made in the broadcast station log as specified in Sections 73.1820 and 73.1840 of this chapter for all broadcast streams” At the time of the inspection, the agent found that there were no entries in the station logs indicating why tests had not been received from the station’s monitoring sources for the period between August 1, 2011 and October 26, 2011.
 - d. 47 C.F.R. § 11.52(d): “Broadcast stations and cable systems and wireless cable systems must monitor two EAS sources. The monitoring assignments of each broadcast station and cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook. . . .” At the time of inspection, the agents determined that Station WFAI was monitoring only one of its assigned EAS sources.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, QC Communications, Inc. must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to QC Communications, Inc. at its address of record.

²47 U.S.C. § 308(b).

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5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

David C. Dombrowski
Acting District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*